

## **REMARKS**

### **Claims**

Claims 1-51 are pending in the present application, with Claims 1, 15, 18, 27, 40, and 49 being independent. Applicants have amended Claims 1, 9, 11-13, 16, 18, 21, 23, 27, 37, 40, 42-46, and 49-51. No new matter has been added.

### **Double Patenting Objections**

In the Office Action dated February 11, 2003, the Examiner advised that should he find Claims 40, 42, and 44 allowable, he would object to Claims 49, 50, and 51, respectively, under 37 C.F.R. § 1.75 as being a substantial duplicate thereof. Applicants respectfully traverse the Examiner's assertion. Applicants submit that Claims 49, 50, and 51, as amended, are not a substantial duplicate of Claims 40, 42, and 44. Specifically, Claims 40, 42, and 44 relate to a strain relief device comprising a support member and a clamping device. Amended Claims 49, 50, and 51 relate to a strain relief device comprising only a support member. Accordingly, Applicants submit that the subject claims are not substantial duplicates of each other.

### **Claim Rejections Under 35 U.S.C. §§ 102 and 103.**

In the Office Action, the Examiner issued the following rejections:

1. The Examiner rejected Claims 1, 2, 6, 8, 9, 12, 15-21, and 24 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,313,546 (*Toffetti*).
2. The Examiner rejected Claims 1, 2, 6, 7, 12, 18, 19, 25, and 26 under 35 U.S.C. § 102(c) as being anticipated by U.S. Patent No. 6,496,641 (*Mahony*).

3. The Examiner rejected Claims 1, 2, 6, 8, 9, 11, 18-21, 23, 27, 28, 31, 32, and 35-37 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,495,549 (*Schneider et al.*).

4. The Examiner rejected Claims 40, 42, 44, 47, and 49-51 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,295,005 (*Daugherty et al.*).

5. The Examiner rejected Claims 40-44, 46, and 49-51 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,402,315 (*Reichle*).

6. The Examiner rejected Claims 40-46 and 49-51 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,731,546 (*Miles et al.*).

7. The Examiner rejected Claims 3-5, 7, 10, 13, 14, 22, 25, and 26 under 35 U.S.C. § 103(a) as being unpatentable over *Toffetti*.

8. The Examiner rejected Claims 29, 30, 33, 34, 38, and 39 under 35 U.S.C. § 103(a) as being unpatentable over *Schneider et al.*

9. The Examiner rejected Claim 48 under 35 U.S.C. § 103(a) as being unpatentable over *Daugherty et al.*

Applicants respectfully traverse each of those rejections.

### **Independent Claims 1 and 18**

Applicants submit that none of the documents cited by the Examiner, either alone or in combination, teaches or suggests at least the feature of a drop port in the housing for allowing a drop line to enter the housing via its own port, as presently recited in independent Claim 1, or a

drop port in the housing being sized to allow a drop line to enter the housing via its own port, as presently recited in independent Claim 18.

*Toffetti*

As Applicants understand, *Toffetti* relates to a hermetically sealed joint cover for fiber optic cables. The joint cover 11 comprises a box element for joining single cables 12 or multiple cables 13 in cable entry and exit apertures 14, 15 formed in a base 16. *See* column 2, lines 10-13, and Figures 1-2. The joint cover 11 also comprises a cover 17 which can be connected to the base 16. *See id.* A seal gasket 23 having a through-hole 25 seals the cables in the entry and exit apertures 14, 15. *See* column 2, lines 24-30. The joint cover 11 also can position and join multiple cables 13. *See* Figures 3 and 4. In that case, a seal gasket 24 comprises several through-holes 28 for the insertion of the cables 13. The through-holes comprise longitudinal cuts 29 for the insertion of the multiple cables 13. *See* column 2, lines 60-68. Thus, *Toffetti* teaches that multiple cables enter and exit the cover through the same entry/exit aperture 14 or 15. Additionally, to insert multiple cables into *Toffetti's* box element, the seal gasket 24 must be removed each time a new cable is added.

Accordingly, *Toffetti* does not contemplate, teach, or suggest at least the feature of a drop port for allowing a drop line to enter the housing via its own port, as presently recited in independent Claim 1, and as similarly recited in independent Claim 18.

*Mahony*

As Applicants understand, *Mahony* relates to a fiber optic interface device. As shown in Figure 5, a fiber optic distribution cable 401 runs through a splice case housing 500. Inside the splice case housing 500, a splice case 400 connects to and splices the fiber optic cable 401. The splice case 400 diverts an incoming fiber optic strand 203 to the incoming side of a splitter-terminal package 199 mounted inside the splice case housing 500. On the outgoing side of the splitter-terminal package 199, a plurality of connectorized terminations 201 are connected to a plurality of fiber optic drops 404. See column 10, line 50, to column 11, line 7. *Mahony* is completely silent as to the structure of the splice case housing 500 and to any ports in the housing 500 that allow entry/exit of the fiber optic cable 401 and the fiber optic drops 404.

On page three of the Office Action, the Examiner admits that "the various ports into housing 500 are not illustrated in fig. 5." For that structure, the Examiner asserts that the various ports into housing 500 are "inherently present." However, Applicants submit that Figure 5 merely illustrates a schematic-type diagram that does not illustrate the structure of the splice case housing 500. *Mahoney* is completely devoid of any description of the structure of the actual splice case housing 500.

Accordingly, the various ports into the housing 500 are not inherently present. To the contrary, as evidenced by the documents cited by the Examiner, a person skilled in the art would implement the schematic layout illustrated in *Mahony* by using a housing as constructed by *Toffetti* discussed above. Using the housing of *Toffetti* results in *Mahony*'s fiber optic cable 401 and drop 404 entering and exiting the housing through the same ports and does not result in a drop line entering the housing via its own port.

Therefore, Applicants submit that *Toffetti* does not contemplate, teach, or suggest at least the feature of a drop port for allowing a drop line to enter the housing via its own port, as presently recited in independent Claim 1, and as similarly recited in independent Claim 18.

*Schneider et al*

As Applicants understand, *Schneider et al.* relates to an optical fiber splice closure illustrated as apparatus 10 in Figures 1 and 2. The apparatus 10 comprises a frame 12, including a plurality of entry/exit ports 18-23 for the entry and exit of optical fiber cables 25-27. *See* column 2, line 48, to column 3, line 4. The entry/exit ports 18-23 are provided with grommets 120, 121 which engage the optical fiber cables entering and exiting the ports and which provide a substantially air-tight seal around the cables. *See* column 5, lines 21-24.

In the Office Action, the Examiner asserts that entry/exit port 19 is a drop port and that cable 26 is a drop line. However, *Schneider et al.* does not provide any teaching or suggestion of a drop port in the housing for allowing a drop line to enter the housing via its own port. Applicants submit that *Schneider et al.* merely discloses a conventional frame having multiple entry/exit ports for multiple fiber optic distribution cables. As shown in Figure 3, the representative or typical optical fiber cable for use with *Schneider et al.*'s closure includes an outer protective sheath surrounding a plurality of typically circularly arranged buffer tubes 33, each containing a plurality of individual fibers. *See* column 3, lines 5-11. Those distribution-type cables do not teach or suggest a drop line or the use of a drop port that allows a drop line to enter the housing via its own port.

Accordingly, Applicants submit that *Schneider et al.* fails to teach, or suggest at least the feature of a drop port for allowing a drop line to enter the housing via its own port, as presently recited in independent Claim 1, and as similarly recited in independent Claim 18.

#### **Independent Claim 27**

Applicants submit that none of the cited documents, either alone or in combination, teach or suggest a first port and a second port in the housing, where the cross sectional area of the second port is smaller than the cross sectional area of the first port, as presently recited in independent Claim 27. In an enclosure having that feature, a distribution cable can enter the housing through the first port while a individual drop line can enter the housing through the second port. None of *Toffetti, Mahoney, and Schneider et al.* discussed above teaches or suggests a housing having different sized ports to allow different sized cables to enter and exit the housing via different ports. *Toffetti, Mahoney, and Schneider et al.* merely describe enclosures having openings of one size.

#### **Independent Claim 15**

Applicants submit that none of the cited documents, either alone or in combination, teaches or suggests at least the feature of a sealing member coupled to the cover plate, as presently recited in independent Claim 15.

As Applicants understand, *Toffetti* teaches a box element comprising a base 16 and a cover 17, which can be connected together along a first connection surface 18 and a second connection surface 19. *See* column 2, lines 10-17. The second connection surface 19 comprises

a seat 20 within which a seal gasket of O-ring type 21 is inserted. *See* column 2, lines 20-22. However, as shown in Figure 1, the seal gasket 21 remains free between the base 16 and the cover 17. *Toffetti* does not teach or suggest that the seal gasket 21 is coupled to the cover 17. A "seat" is "a part or surface on which another part or surface rests." Webster's Revised Unabridged Dictionary, © 1996, 1998 MICRA, Inc. Thus, the seal gasket 21 merely rests in the seat 20, and the seat 20 does not retain the seal gasket 21. Applicants submit that when the cover 17 is removed from the base 16, the seal gasket 21 will slip out of the seat 20. Accordingly, Applicant submit that *Toffetti* fails to teach or suggest at least the feature of a sealing member coupled to the cover plate, as presently recited in independent Claim 15.

#### **Independent Claims 40 and 49**

Applicants submit that none of the cited documents, either alone or in combination, teaches or suggests at least the feature of a strain relief device comprising a support member having a clamp receiving portion, where the clamp receiving portion comprises an opening leading from an edge of the support member to an interior of the support member, as presently recited in amended, independent Claims 40 and 49. As described in the original specification with reference to Figure 6B, an opening from the edge of the support member can allow easy insertion of a clamping device.

*Daugherty et al.*

As Applicants understand, *Daugherty et al.* relates to a cable splice enclosure having two structurally identical, elongated covers 10 (Figure 1). The closure further includes a pair of

clamp supports or brackets 22 (Figure 2) comprised of two split-ring shaped support sections that fit together. Those plastic clamp supports are formed with a set of four radial slots 26 into which metallic, L-shaped, toothed clamping elements 28 are slidably retained under bridges 30 of the supports. The clamps further include a conventional hose clamp with band 40 and screw 41 adapted to be placed and tightened about the toothed clamping elements 28 and a cable after the clamp supports 22 have been mounted about the cable and the clamps slid into gripping engagement with the cable (Figure 3). *See* column 2, line 57, to column 3, line 36.

Accordingly, Applicants submit that *Daugherty et al.*'s clamping elements 28 fail to teach or suggest a support member having a clamp receiving portion comprising an opening leading from an edge of the support member to an interior of the support member, as presently recited in independent Claims 40 and 48.

*Reichle*

As Applicants understand, *Reichle* relates to an assembly module for a printed circuit board for the connection of screen conductors. The printed circuit board 1 comprises a metallic grounding pad 21. *See* column 2, lines 43-45, and lines 57-66. The grounding pad 21 may provide slots 5 for push-through accommodation of a cable coupler 9. *See* column 3, lines 27-30, and Figure 2. The slots 5 are provided entirely within the interior of the grounding pad 21. Accordingly, Applicants submit that *Reichle* fails to teach or suggest at least the feature of a support member having a clamp receiving portion comprising an opening leading from an edge of the support member to an interior of the support member, as presently recited in independent Claims 40 and 49.



*Miles et al.*

As Applicants understand, *Miles et al.* relates to a telecommunications cable management tray with a row of cable guide walls. The tray 10 includes elongate apertures 24 and elongate slots 46a, b, and 48a, b, and c. *See* column 2, lines 53-56, and column 3, lines 7-12. Cable ties 70, 72, and 74 can be provided in the elongate apertures and slots. *See* column 3, lines 11-12, lines 57-67, and Figure 2. *Miles et al.* teaches apertures or slots entirely within the interior of the tray 10. Accordingly, Applicants submit that *Miles et al.* fails to teach or suggest at least the feature of a support member having a clamp receiving portion comprising an opening leading from an edge of the support member to an interior of the support member, as presently recited in independent Claims 40 and 49.

**Dependent Claims**

Claims 2-14, 16-17, 19-26, 28-39, 41-48, and 50-51 depend from independent Claims 1, 15, 18, 27, 40, and 49, respectively. Accordingly, Applicants submit that each of the dependent claims is allowable for similar reasons discussed above with respect to the independent claims.

Additionally, Applicants submit that the dependent claims are allowable in their own right for reciting additional features further distinguishing the claimed invention over the cited documents. For example, certain dependent claims recite the following features:

1. Dependent Claim 16 recites a drop port in the housing for allowing a drop line to enter the housing via its own port, as discussed above with reference to independent Claims 1 and 18.

2. Dependent Claims 24 and 38 recite a sealing member coupled to the cover plate, as discussed above with reference to independent Claim 15.

3. Dependent Claims 11, 23, and 37 recite a strain relief device comprising a support member having a clamp receiving portion that comprises an opening leading from an edge of the support member to an interior of the support member, as discussed above with reference to independent Claims 40 and 49.

4. Dependent Claims 9, 13, 14, and 21, as amended, recite an open drop plug comprising a concave-rounded end that substantially seals the drop port around a drop line. Such an "open" drop plug can be installed after the drop line has been inserted in the housing. Applicants submit that none of the cited documents, either alone or in combination, teach or suggest at least that feature. For example, *Toffetti* describes a seal gasket 24 which comprises several through-holes 28, at least two of which comprise longitudinal cuts 29 for the insertion of the cables 13. *See* column 2, lines 63-68. *Toffetti's* seal gasket 24 does not comprise a concave-rounded end. Additionally, *Schneider et al.* discloses grommets 120 and 121. The grommets 120 and 121 comprise straight members 128 and 129 which wrap around an optical fiber cable 136 and which are forced towards each other during mounting in the entry and exit ports. *See* column 6, lines 29-43. *Schneider et al.'s* grommets 120, 121 do not comprise a concave-rounded end.

### **CONCLUSION**

Applicants submit the foregoing as a full and complete response to the Office Action dated February 11, 2003. Applicants submit that this Amendment and Response places the

application in condition for allowance and respectfully requests such action. If any issues exist that can be resolved with an Examiner's Amendment or a telephone conference, please contact Applicants' undersigned attorney at 404.572.2809.

Respectfully submitted,



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